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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,583	10/15/2003	Gregory M. Glenn	PA3387US	2329
7590 11/29/2005				
CARR & FERRELL LLP 2200 Geng Road Palo Alto, CA 94303			EXAMINER POPE, DARYL C	
			ART UNIT 2632	PAPER NUMBER

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action SummaryApplication No. **X**

10/684,583

Applicant(s)

GLENN ET AL.

Examiner

DARYL C. POPE

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2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-96 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-96 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

ART REJECTION:

Claim Rejections - 35 USC § 103

2. **Claims 1-96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao in view of Lauber et al(2004/0090950) and Wilson et al(5,400,246).**

-- **Claims 1-96** recite subject matter that is met for the reasons of record as discussed in the previous office action except for:

1) the control board for placing data into at least one packet and transmitting the packet from the control board using wireless communications.

2) the digital sensor being compatible with RS-232 protocol.

As discussed in the previous office action, use of boards for a CPU is well known. In related art, Lauber et al(Lauber) discloses a wireless digital/analog data telemetry system which utilizes a control board for microprocessor(144)(see: sec [0129]). Furthermore, the microprocessor places data collected from sensors into data packets and transmits the packets via wireless communications(see: sec [0123]).

For the reasons as discussed in the previous office action, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the control board, and microprocessor including data packet and transmission capabilities of Lauber into the system of Joao, since this would have

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facilitated collection and transmission of data to the since data packets help ensure integrity with regards to the transmission of data via wireless communication.

Furthermore, upon implementation of the of the microprocessor and control board into Joao, it would have been obvious that the data would have been compressed by the microprocessor in order to form the data packet since this would have been necessary in order for the data to be communicated to the server computer(510) in the form of a data packet.

As well, Lauber teaches the RS-232 protocol, GPRS/GSM gateway, parallel or serial ports, telemetry radio, serial data interfaces, and n-byte message comprising header and sensor data, all of which would have been readily implemented into the system of Joao, for the reasons of record as discussed in the previous office action.

With regards to the maximum number of bytes, one of ordinary skill in the art at the time the invention was made would have readily recognized the most effective number of bytes whether 96, 512, etc. that would have enabled data to be efficiently transmitted in the data packet.

With regards to the digital and analog sensors, analog to digital converters, and voltage sensor measuring the voltage of a battery sensor, use of these devices in an sensor monitoring system is well known in the art. In related art, Wilson discloses a system for monitoring peripheral devices which utilizes analog and digital sensors, as well as analog to digital converters for transmitting signals from the sensors to a base station and a battery level sensor(see: figs. 8c and 12). Since Joao desires to remotely monitor peripheral devices much in the same manner as that of Wilson, it would have

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been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above stated devices of Wilson into the system of Joao, since this would have facilitated monitoring of various devices in Joao by allowing monitoring of analog and digital devices, and as well including the proper circuitry to process and transmit signals from those monitored devices.

REMARKS:

Response to Arguments

3. Applicant's arguments filed 10/3/2005 have been fully considered but they are not persuasive.

4. **APPLICANT'S ARGUMENTS:**

1) *"Joao teaches a control apparatus for a vehicle that includes a first control device in a vehicle.....Therefore, claim 1 is allowable for at least the above stated reasons over Joao."*

2) *"Claims 2-9 and 19-36 are dependent either directly or indirectly from claim 1 and are allowable for at least the same reasons as claim 1 over Joao.....Otherwise, Applicants respectfully request for withdrawal of the rejections and allowance of claims 2-9 and 19-36."*

3) *"Claims 13-14 are dependent either directly or indirectly from claim 1 and allowable for at least the same reasons as claim 1 over Joao.....Therefore, claims 13-14 are allowable for at least the above stated reasons over Joao."*

5. **EXAMINER'S RESPONSE:**

1-3) As disclosed in the art rejection above, the examiner responded to

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applicant's amendments by disclosing prior art to Lauber which teaches the limitations as cited in the amended claims, and as well the limitation which the examiner stated as well known in the previous office action, as requested by the applicant. In view of this, applicant's arguments are not deemed persuasive.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is 571-272-2959. The examiner can normally be reached on M-TH 9:00-7:30.

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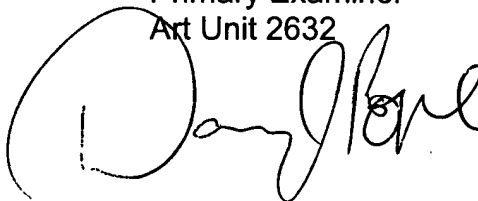
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL J. WU can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daryl C. Pope

Nov. 27, 2005

DARYL C POPE
Primary Examiner
Art Unit 2632

A handwritten signature in black ink, appearing to read "Daryl C. Pope", is written over the printed name and title.